

AO 440 (Rev. 10/93) Summons in a Civil Action

UNITED STATES DISTRICT COURT

THE UNITED STATES DISTRICT COURT SOUTHERN

District of California

Chad McKinney, Pro Se

SUMMONS IN A CIVIL CASE

V.

APOLLO GROUP INC., UNIVERSITY OF PHOENIX, a Corporation, MECHELLE BONILLA, an Enrollment Manager at UNIVERSITY OF PHOENIX, KYAN FLYNN, Director of Enrollment at UNIVERSITY OF PHOENIX, APRIL ALCDORN, an Employee Relations Consultant at UNIVERSITY OF PHOENIX, CARLYN LINDSTEN, Associate Director of Enrollment at UNIVERSITY OF PHOENIX

CASE NUMBER:

07 CV 2373 WQH CAB

TO: (Name and address of Defendant)

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Chad McKinney, Pro Se
6266 Madeline Street Apt. No. 61
San Diego, Ca 92115-5630

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

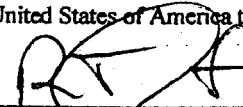
W. SAMUEL HAMRICK, JR.

JAN 15 2008

CLERK

DATE

(By) DEPUTY CLERK

| RETURN OF SERVICE | | | |
|--|--|--|--------------------|
| Service of the Summons and Complaint was made by me | | DATE <u>1/31/08</u> | |
| NAME OF SERVER <u>R.T. Hansell</u> | | TITLE <u>R.P.S.</u> | |
| Check one box below to indicate appropriate method of service | | | |
| <input type="checkbox"/> Served personally upon the defendant. Place where served: _____ | | | |
| <input type="checkbox"/> Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein: Name of person with whom the summons and complaint were left: _____ | | | |
| <input type="checkbox"/> Return unexecuted: | | | |
| <input checked="" type="checkbox"/> Other (specify): <u>Served Apollo Group, Inc. by leaving copies with Ellen Bowens (Administration).</u> | | | |
| STATEMENT OF SERVICE FEES | | | |
| TRAVEL | | SERVICES | TOTAL \$ <u>45</u> |
| DECLARATION OF SERVER | | | |
| I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct. | | | |
| Executed on: <u>2/12/08</u> <div style="text-align: center;">Date</div> | |  Signature of Server <u>2445 Morena Blvd., Ste 206</u> Address of Server <u>S.D. Ca 92110</u> | |
| NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE | | | |
| IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. <u>COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.</u> | | | |
| YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION. | | | |
| JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE. | | | |

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

**U.S. District Court
Southern District of California (San Diego)
CIVIL DOCKET FOR CASE #: 3:07-cv-02373-WQH-CAB**

McKinney v. Apollo Group Inc. et al
Assigned to: Judge William Q. Hayes
Referred to: Magistrate Judge Cathy Ann Bencivengo
Demand: \$250,000
Cause: 31:3729 False Claims Act

Date Filed: 12/19/2007
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Chad McKinney
an individual

represented by **Chad McKinney**
6266 Madeline Street
Apt #61
San Diego, CA 92115
(619)634-3566
PRO SE

V.

Defendant

Apollo Group Inc.

Defendant

University of Phoenix
a Corporation

Defendant

Mechelle Bonilla
*an Enrollment Manager at University of
Phoenix*

Defendant

Kyan Flynn
*Director of Enrollment at University of
Phoenix*

Defendant

April Alcorn
*an Employee Relations Consultant at
University of Phoenix*

Defendant

Carlyn Lindsten
*Associate Director of Enrollment at
University of Phoenix*

| Date Filed | # | Docket Text |
|------------|---|--|
| 12/19/2007 | 1 | COMPLAINT t/w Jury Demand, against Apollo Group Inc., University of Phoenix, Mechelle Bonilla, Kyan Flynn, April Alcorn, Carlyn Lindsten (Filing fee \$ 350, receipt number 145709), filed by Chad McKinney.(jcj) (Entered: 12/20/2007) |
| 01/15/2008 | 2 | Summons Issued for Complaint (1). (mdc) Modified on 1/17/08 to correct file date. (mdc) (Entered: 01/17/2008) |